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8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
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11 RANDY LEE STAPLETON,

12 Petitioner,

13 v.

14 PAUL THOMPSON,

15 Respondent.  
16

No. 2:22-CV-0305-TLN-DMC-P

FINDINGS AND RECOMMENDATIONS

17 Petitioner, a federal prisoner proceeding pro se, brings this petition for a writ of  
18 habeas corpus under 28 U.S.C. § 2241. Pending before the Court are: (1) Petitioner's motions,  
19 ECF Nos. 4, 19, and 21, for an order requiring the Bureau of Prisons to set an earlier projected  
20 release date; and (2) Respondent's motion, ECF No. 13, to dismiss.

21 Petitioner is currently incarcerated following his conviction in the Central District  
22 of California in case no. 18-CV-0302-PA. See ECF No. 1. Petitioner initiated the current federal  
23 habeas petition on February 17, 2022, seeking relief under the First Step Act. See id. On April  
24 18, 2022, Petitioner filed a near identical federal habeas petition in this Court, Stapleton v.  
25 Thompson, case no. 2:22-CV-0678-TLN-DMC (Stapleton II). In Stapleton II, Petitioner indicates  
26 that he is serving a 77-month sentence, imposed on August 5, 2019, after a guilty plea to  
27 possession of methamphetamine with the intent to distribute, in violation of 18 U.S.C. § 841. See  
28 ECF No. 1 in Stapleton II. In Stapleton II, Petitioner also seeks relief under the First Step Act.

1 See id.

2 Respondents in both the current case and Stapleton II moved to dismiss the  
3 petitions. See ECF No. 13; see also ECF No. 9 in Stapleton II. In response to the motion to  
4 dismiss in Stapleton II, Petitioner filed a request for voluntary dismissal. See ECF No. 13 in  
5 Stapleton II. According to Petitioner, his petition in Stapleton II is moot because he has been  
6 provided a release date of February 27, 2023, to report to a half-way house. See id. Given that  
7 Petitioner has been provided the relief he seeks by way of the current petition, it is also moot and  
8 should be summarily dismissed.

9 Based on the foregoing, the undersigned recommends that this petition be  
10 summarily dismissed as moot and that all pending motions, ECF Nos. 4, 13, 19, and 21 also be  
11 denied as moot.

12 These findings and recommendations are submitted to the United States District  
13 Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within 14 days  
14 after being served with these findings and recommendations, any party may file written objections  
15 with the Court. Responses to objections shall be filed within 14 days after service of objections.  
16 Failure to file objections within the specified time may waive the right to appeal. See Martinez v.  
17 Ylst, 951 F.2d 1153 (9th Cir. 1991).

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19 Dated: November 8, 2022



20 DENNIS M. COTA  
21 UNITED STATES MAGISTRATE JUDGE  
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